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29400 LAKELAND BOULEVARD  
WICKLIFFE, OH 44092-2298

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**MAY 02 2005**

**OFFICE OF PETITIONS**

In re Application of :  
Curtis R. Scharf et al :  
Application No. 08/888,462 : DECISION GRANTING PETITION  
Filed: July 7, 1997 : UNDER 37 CFR 1.137(b)  
Attorney Docket No. 2730-01 :  
:

This is a decision on the petition under 37 CFR 1.137(b), filed February 9, 2005, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned, by operation of law, for failure to timely pay the issue fee on or before December 3, 2004, as required by the Notice of Allowance and Fee(s) Due, mailed September 3, 2004.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of the issue fee payment; (2) the petition fee; and (3) the required statement of unintentional delay have been received. Accordingly, the issue fee is accepted as having been unintentionally delayed.

The statement of unintentional delay was not signed by an attorney of record in the instant file. Nevertheless, in accordance with 37 CFR 10.18, the statement is accepted as constituting a certification of unintentional delay. However, in the event that petitioner has no knowledge that the entire delay was in fact unintentional, petitioner should make a reasonable inquiry to ascertain that, in fact, the delay was unintentional. If petitioner discovers that the delay was intentional, petitioner must so notify the Office.

If petitioner herein desires to receive future correspondence regarding this application, the appropriate power of attorney or authorization of agent must be submitted. While a courtesy copy

of this decision is being mailed to petitioner, all future correspondence will be directed to the address currently of record until such time as appropriate instructions are received to the contrary.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3218.

This matter is being referred to Publishing Division for processing into a patent.

*Frances Hicks*  
Frances Hicks  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

cc:

Thomas W. Adams  
Renner Otto Boisselle & Sklar LLP  
1621 Euclid Avenue, Nineteenth floor  
Cleveland, Ohio 44115